IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.4308 OF 2007

Shri Ashok Malhari Dhole ..Petitioner.
Vs.
Shri Sharad Bandu Bendkhale ..Respondent.

Mr.S.D.Patil, adv. for the Petitioner.

CORAM : J.H.BHATIA, J.
DATE : JULY 13, 2007.

P.C.

1. After some discussion at bar Mr.Patil the learned counsel for the petitioner seeks to withdraw the petition with liberty to file appropriate application for mesne profits/compensation for unauthorised possession of the premises by the respondents after 31st December, 1996.

2. Petition stands disposed off as withdrawn with aforesaid liberty. In case, he files such application for mesne profits, the observations made by the learned Civil Judge Junior Division, Mangaon on the application Exhibit 34 shall not be taken into consideration and the application for mesne profits shall be decided on its own merits after hearing the parties.

[J.H.BHATIA, J.]